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Rostow Says Johnson Was Informed Of Dispute on Vietnam Foe's Forces

By M. A. FARBER

Walt W. Rostow, President Johnson's Special Assistant for National Security Affairs, testified in Federal Court here yesterday that as early as a year before the Tet offensive of 1968, he informed the President of an unresolved dispute among intelligence analysts over the scope of enemy strength in South Vietnam.

Mr. Rostow, whose long answers often amounted to a discourse on the methods used by the Johnson White House to keep itself informed on the progress of the war, took the stand as the first witness for the plaintiff in the \$120 million libel suit against CBS by Gen. William C. Westmoreland.

As an aide whose office was "30 seconds" from Mr. Johnson's — with "a little bit of running" — Mr. Rostow said he had firsthand knowledge of what President Johnson was told about such issues as the intelligence "debate," statements by General Westmoreland and the rate of North Vietnamese infiltration into South Vietnam before the Tet offensive in January 1968. All are issues in the trial.

General Westmoreland, who was commander of United States forces in Vietnam from 1964 to 1968, contends that CBS, in a 1982 CBS Reports documentary titled "The Uncounted Enemy: A Vietnam Deception," libeled him by saying he had deceived President Johnson and the Joint Chiefs of Staff about the size and nature of enemy forces in South Vietnam in the year prior to the Tet offensive.

General Westmoreland specifically accused CBS and several other defendants of saying that the general had arbitrarily set a ceiling of 300,000 on enemy strength, suppressed reports from his officers of a higher enemy presence and a higher rate of North Vietnamese infiltration than was made known, and engineered a cover-up of the truth after the offensive.

Argue Over Evidence

Mr. Rostow, now a professor of political economy at the University of Texas, took the stand more than two hours after court began at 10 A.M. Most of the morning session was consumed by lawyers' arguments before Judge Pierre N. Leval over the admissibility of various cables, memoranda and other documents.

Judge Leval, who had earlier predicted a trial of 10 weeks to four months, warned the lawyers that it could take "12 years" if they did not take greater pains, outside of court hours, to agree on potential exhibits.

The judge underscored a theme he has sounded since jury selection began last Tuesday — that the case does not pivot on whether President Johnson was actually deceived by General Westmoreland but whether the general "sought to deceive" him by providing "bad, politically-motivated, arbitrary data."

Although "it may be interesting historically," the judge said, it was irrelevant to the case whether the President was "able to differentiate his many sources." On those grounds, the judge ruled out several documents that, he said, tended to establish what the White House knew rather than what General Westmoreland's role was in furnishing the information.

Rostow Memo Excluded

The documents were offered by Dan M. Burt, General Westmoreland's lawyer, often over the objection of David Boies, the lawyer for CBS, who began cross-examining Mr. Rostow late yesterday afternoon.

Among the documents excluded was a secret memorandum from Mr. Rostow to the President on Jan. 20, 1967 that began: "As you know, a debate continues on the absolute size of the enemy order of battle in Viet Nam."

The order of battle is the official military listing of enemy strength.

Despite the exclusion of the secret memorandum, Mr. Rostow testified that a month after he learned of the debate on the size of enemy strength from the C.I.A. he "informed" the President about it.

Before Mr. Rostow testified, Mr. Burt drew the jury's attention to several statements made by Mike Wallace, the chief correspondent on the CBS documentary, in his narration on the program. In one, Mr. Wallace spoke of General Westmoreland's "dilemma" in having to take "bad news" to the President. In another, Mr. Wallace said General Westmoreland admitted that he "chose not to inform the Congress, the President, not even the Joint Chiefs of Staff, of the evidence collected by his intelligence chief, evi-

dence which indicated a far larger enemy."

Mr. Rostow, a bespectacled figure in a gray pin-striped suit, testified that General Westmoreland was under no pressure to provide good news to the President.

1967 Meeting Recalled

Mr. Rostow recalled, under questioning by Mr. Burt, a meeting he attended at the White House in April 1967 among General Westmoreland; President Johnson; Robert S. McNamara, the Secretary of Defense; Dean Rusk, the Secretary of State; Richard Helms, the Director of Central Intelligence; and Gen. Earle Wheeler, the Chairman of the Joint Chiefs of Staff.

Mr. Rostow, speaking in a low, measured voice, said the meeting "focused rather sharply" on whether 200,000 additional United States forces, which General Westmoreland was seeking, would shorten the war.

General Westmoreland, Mr. Rostow said, was asked for his view and explained that "we were making slow progress" but that he "couldn't guarantee" a date by which the enemy would "desist from aggression." When pressed on the subject, perhaps by Mr. McNamara, Mr. Rostow testified, General Westmoreland said that the war would last "something like five years at the present level" of United States forces and "something like two years" with a large infusion of fresh troops.

Script for Documentary Read

"He rather reluctantly gave in to offering a reasonably concrete time dimension," Mr. Rostow testified.

Mr. Burt then read aloud a passage

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from the documentary in which Mr. Wallace referred to that April 1967 meeting and said: "But on this day Westmoreland had mostly good news to offer his Commander in Chief. The Vietcong's army, he said, had leveled off at 285,000 men. And best of all, he told the President, the long-awaited crossover point had been reached. We were now killing or capturing Vietcong at a rate faster than they could be put back in the field. We were winning a war of attrition."

Mr. Rostow said Mr. Wallace's statement did not agree with his "memory of the meeting or the tone of it."

"I do not recall such a 'good news' tone," Mr. Rostow said.

Nor, Mr. Rostow testified, did he remember General Westmoreland saying that the enemy forces had leveled off at 285,000, or that a "crossover had been reached" or that "we were winning a war of attrition."

Interview Distributed

During a break in Mr. Rostow's testimony, John Scanlon, a public relations representative for CBS, gave reporters the transcript of unused portions of an interview CBS conducted with General Westmoreland for the broadcast. In the excerpt, which appears to deal with the same meeting that Mr. Rostow recalled, the general says that he advised the President that enemy forces had stabilized at 285,000.

Mr. Rostow testified that "home guard" forces of Vietcong had been dropped from the order of battle in November 1967, not to minimize the strength of the enemy, as the documentary asserted, but because their num-

bers were uncertain and they were not a major offensive threat.

He said, too, that President Johnson and other senior Government officials had used top secret information supplied by the National Security Agency to closely monitor North Vietnamese infiltration into South Vietnam in the months before the Tet offensive. The documentary maintained that General Westmoreland's command "systematically blocked" reports of mounting

North Vietnamese infiltration.

Mr. Rostow, who will be further cross-examined today, was interviewed for the CBS documentary but none of his remarks were used on the program.